

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

**SANDRA KIRKMAN AND CARLOS
ALANIZ, INDIVIDUALLY AND AS
SUCCESSORS-IN-INTEREST TO
JOHN ALANIZ, DECEASED,**

Plaintiffs,

v.

**STATE OF CALIFORNIA; RAMON
SILVA; AND DOES 1-10,
INCLUSIVE,**

Defendants.

Case No. CV 23-7532-DMG (SSCx)

**ORDER GRANTING IN PART
DEFENDANTS' *EX PARTE*
APPLICATION FOR
MODIFICATION OF CURRENT
SCHEDULING ORDER [42]**

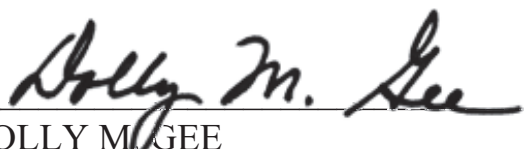
Having considered Defendants' Application for Modification of Current Scheduling Order and Trial Continuance, the Court finds that there is good cause for a modest extension of the fact discovery cutoff date and other deadlines, but that good cause does not exist to extend all dates and deadlines by 90 days or to continue the April 15, 2025 trial date. For the reasons set forth below, the Court **GRANTS in part** and **DENIES in part** Defendants' Application.

In its Order denying Defendants' previous Application, the Court noted that it may consider a request for "a more limited continuance" if Magistrate Judge

1 Christensen granted Defendants’ pending Motion to Compel (“MTC”). [See Doc. #
2 39 at 4.] Magistrate Judge Christensen granted Defendants’ MTC on November 14,
3 2024 and ordered Plaintiffs to provide Defendants with the requested discovery by
4 no later than November 19, 2024. [Doc. # 41 (“Ord. re MTC”).] As a result,
5 Plaintiffs produced Decedent’s medical and/or mental health records from the
6 Veteran’s Administration (“VA”), which totaled 866 pages. Application at 2.
7 Defendants now argue that a 90-day extension of dates and deadlines is warranted
8 because they “need time to adequately review these records and conduct additional
9 discovery as needed.” *Id.* Plaintiffs assert that an extension is unnecessary and
10 unwarranted because: (1) additional discovery into Decedent’s mental health records
11 is only tangential to the case, and (2) if the extension is granted, Plaintiffs’ counsel
12 will not be able to go to trial in this case until at least August 2025. Opp. at 2.

13 Magistrate Judge Christensen determined that the records sought, and now
14 produced, from the VA are “highly relevant to the claims brought by Plaintiffs and
15 to Defendants’ anticipated defenses.” Ord. re MTC at 12. This Court agrees. The
16 Court thus concludes that there is good cause for a modest extension of many of the
17 pretrial dates and deadlines in this case, but that good cause does not exist to continue
18 all dates, including either the Final Pretrial Conference or the trial. For these reasons,
19 the Court hereby **EXTENDS** certain dates and deadlines in accordance with the
20 amended schedule of pretrial and trial dates and deadlines set forth below. The
21 parties shall comply with the Court’s Scheduling and Case Management Order [Doc.
22 # 25], except to the extent modified herein.

23
24 DATED: November 27, 2024


DOLLY M. GEE
Chief United States District Judge

Judge Dolly M. Gee

AMENDED SCHEDULE OF PRETRIAL & TRIAL DATES (JURY TRIAL)

Case No.: CV 23-7532-DMG (SSCx)

Title: Sandra Kirkman, et al., v. State of California, et al.

MATTER	COURT ORDERED DATE	TIME
TRIAL <input type="checkbox"/> Court <input checked="" type="checkbox"/> Jury Duration Estimate: 5-7 days	4-15-25 (Tuesday)	8:30 a.m.
FINAL PRETRIAL CONFERENCE (FPTC) 4 wks before trial	3-18-25 (Tuesday)	2:00 p.m.

MATTER	COURT ORDERED DATE
Non-Expert Discovery Cut-Off (includes hearing of discovery motions)	2-25-25
Motion Cut-Off (filing deadline)	1-24-25
Last hearing date for dispositive motions	2-21-25
Initial Expert Disclosure & Report Deadline	1-14-25
Rebuttal Expert Disclosure & Report Deadline	2-11-25
Expert Discovery Cut-Off (includes hearing of discovery motions)	2-25-25
Settlement Conference Completion Date	2-25-25
Joint Status Report re Settlement	3-4-25
Motions in Limine Filing Deadline	3-4-25
Opposition to Motion in Limine Filing Deadline	3-11-25
Proposed Pretrial Conference Order	3-4-25
Contentions of Fact/Law	3-4-25
Pretrial Exhibit Stipulation	3-4-25
Joint Exhibit List	3-4-25
Witness Lists & Joint Trial Witness Time Estimate Form	3-4-25
Agreed Statement of the Case	3-4-25
Proposed Voir Dire Questions	3-4-25
Joint Statement of Jury Instructions & Joint Statement of Disputed Instructions	3-4-25
Verdict Forms	3-4-25